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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and for the Estate of Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ELLEN BERNFELD,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04918 (SMB)



**ORDER COMPELLING RESPONSES TO DISCOVERY
AND DEEMING ADMITTED REQUESTS FOR ADMISSION PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 36(a)(3)**

THIS MATTER came before the Court on the letter request of Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff, filed on September 28, 2015 [ECF No. 14] (the “Letter Request”) seeking a conference concerning the failure of defendant (“Defendant”) in the above captioned adversary proceeding (the “Adversary Proceeding”) to serve responses to discovery propounded by the Trustee, and produce documents requested by the Trustee. The Court held a hearing (the “Hearing”) on the Letter Request on Wednesday, October 28, 2015, and granted the Trustee’s Letter Request as an oral motion for entry of an order that the Trustee’s Requests for Admission are deemed admitted and compelling Defendant to serve discovery responses and produce documents. The Court, having granted such motion, it is hereby

ORDERED that the Trustee’s First Requests for Admission served on July 6, 2015 are deemed admitted pursuant to Federal Rule of Civil Procedure 36(a)(3); it is further

ORDERED that Defendant shall respond to the Trustee’s First Set of Interrogatories and First Set of Requests for the Production of Documents served on July 6, 2015 by **December 1, 2015**.

Dated: November 2nd, 2015
New York, New York

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MARILYN BERNFELD TRUST; HERBERT
BERNFELD RESIDUARY TRUST, in its own
capacity and as a partner of H&E Company – A
Partnership and Bernfeld Joint Venture – A
Partnership; H&E COMPANY – A PARTNERSHIP;
BERNFELD JOINT VENTURE – A
PARTNERSHIP; MARILYN BERNFELD, in her

Adv. Pro. No. 10-05143 (SMB)

capacity as a partner of H&E Company – A Partnership and Bernfeld Joint Venture – A Partnership, and as Trustee for the Marilyn Bernfeld Trust and the Herbert Bernfeld Residuary Trust; ELLEN BERNFELD, in her capacity as a partner of H&E Company – A Partnership and Bernfeld Joint Venture – A Partnership; and THOMAS BERNFELD, in his capacity as a partner of Bernfeld Joint Venture – A Partnership.

Defendants.

**ORDER COMPELLING RESPONSES TO DISCOVERY
AND DEEMING ADMITTED REQUESTS FOR ADMISSION PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 36(a)(3)**

THIS MATTER came before the Court on the letter request of Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff, filed on September 28, 2015 [ECF No. 16] (the “Letter Request”) seeking a conference concerning the failure of defendants (“Defendants”) in the above captioned adversary proceeding (the “Adversary Proceeding”) to serve responses to discovery propounded by the Trustee, and produce documents requested by the Trustee. The Court held a hearing (the “Hearing”) on the Letter Request on Wednesday, October 28, 2015, and granted the Trustee’s Letter Request as an oral motion for entry of an order that the Trustee’s Requests for Admission are deemed admitted and compelling Defendants to serve discovery responses and produce documents. The Court, having granted such motion, it is hereby

ORDERED that the Trustee’s First Requests for Admission served on July 15, 2015 are deemed admitted pursuant to Federal Rule of Civil Procedure 36(a)(3); it is further

ORDERED that Defendants shall respond to the Trustee’s First Set of Interrogatories and First Set of Requests for the Production of Documents served on July 15, 2015 by

December 1, 2015.

Dated: November 2nd, 2015
New York, New York

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MICHAEL A. BELLINI, individually and as a joint
tenant; and JUDITH BELLINI, individually and as a
joint tenant,

Defendants.

Adv. Pro. No. 10-04841 (SMB)

**ORDER COMPELLING RESPONSES TO DISCOVERY
AND DEEMING ADMITTED REQUESTS FOR ADMISSION PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 36(a)(3)**

THIS MATTER came before the Court on the letter request of Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff, filed on September 28, 2015 [ECF No. 21] (the “Letter Request”) seeking a conference concerning the failure of defendants (“Defendants”) in the above captioned adversary proceeding (the “Adversary Proceeding”) to serve responses to discovery propounded by the Trustee, and produce documents requested by the Trustee. The Court held a hearing (the “Hearing”) on the Letter Request on Wednesday, October 28, 2015, and granted the Trustee’s Letter Request as an oral motion for entry of an order that the Trustee’s Requests for Admission are deemed admitted and compelling Defendants to serve discovery responses and produce documents. The Court, having granted such motion, it is hereby

ORDERED that the Trustee’s First Requests for Admission served on July 15, 2015 are deemed admitted pursuant to Federal Rule of Civil Procedure 36(a)(3); it is further

ORDERED that Defendants shall respond to the Trustee’s First Set of Interrogatories and First Set of Requests for the Production of Documents served on July 15, 2015 by **December 1, 2015**.

Dated: November 2nd, 2015
New York, New York

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN